

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: G. Mike Makrigiorgos      Confirm. No.: 6102  
Application No.: 10/758,401      Group No.: 1637  
Filed: 01/15/2004      Examiner: Molly E. Baughman  
For: AMPLIFICATION OF DNA IN A HAIRPIN STRUCTURE, AND  
APPLICATIONS

**DECLARATION UNDER 37 CFR 1.131**

I, G. Mike Makrigiorgos, hereby declare as follows:

1. I am the sole inventor of the above-described patent application.
2. I have been advised that the Examiner cited an article entitled "Ligation of a primer at a mutation: a method to detect low level mutations in DNA" authored by Kaur M, Zhang Y, Liu WH, Tetradis S, Price BD, Makrigiorgos GM, and published in Mutagenesis on September 17, 2002 in Vol. 5, pp.365-74.
3. Prior to September 17, 2002 I had prepared a draft manuscript together with my student Manjut Kaur describing our research entitled "Novel amplification of DNA in a hairpin structure: towards a radical reduction of PCR errors from amplified DNA." A true copy of the letter enclosing the manuscript and an invention disclosure statement describing the methods with dates redacted are attached hereto as Exhibit "A."
4. In our manuscript we described the results from laboratory experiments which I had designed and planned and which were performed under my immediate supervision and

control regarding the methods of amplifying DNA in hairpin structures to minimize errors introduced during polymerase chain reactions (PCR).

5. In the invention disclosure statement, I also described the de-novo procedure that I have devised to amplify DNA in hairpin structure and its application in generating DNA without PCR errors. See, e.g., Figures 2-9 its legend in Exhibit A.

6. Thus, prior to September 17, 2002, I had conceived and performed, methods of See, e.g., Figures 2-9 its legend in Exhibit A.

7. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information are believed to be true, and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, and that such willful false statements may jeopardize the validity of the application or any patent that issues therefrom.

Date: February 12, 2008  
Date



G. Mike Makrigiorgos